



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentee: Leonid SHMAENOK

Patent No.: 6,359,969

Issue Date: March 19, 2002

Reissue Application Serial No.: 10/803,201

Reissue Application Filing Date: March 18, 2004

Title: FILTER FOR EXTREME ULTRAVIOLET LITHOGRAPHY

Mail Stop Reissue
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


CONSENT OF ASSIGNEE TO REISSUE (37 C.F.R. §1.172(a)),
OFFER TO SURRENDER LETTERS PATENT (37 C.F.R. §1.178),
AND SUBMISSION UNDER 37 C.F.R. §3.73(b)

ASML Netherlands B.V., assignee of all the right, title, and interest of the above-referenced patent by virtue of the following: (1) an assignment from the inventor Leonid Shmaenok to Stichting voor de Technische Wetenschappen, recorded at Reel 11402, Frame 0440; and (2) an assignment from Stichting voor de Technische Wetenschappen to ASML Netherlands B.V., recorded at Reel 14007, Frame 0395, hereby consents to the re-issue of the above-referenced patent and this reissue application therefor.

In accordance with 37 C.F.R. §1.178, ASML Netherlands B.V. hereby offers to surrender U.S. Patent No. 6,359,969 upon allowance of this reissue application.

The undersigned is authorized to act on behalf of the assignee.

Date: 10 May 2004

Signature: 
Name: Ton van Hoef
Title: Vice-President and Chief Intellectual
Property Counsel



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REISSUE DECLARATION

I, Leonid SHMAENOK of Nieuwegein, The Netherlands and citizen of The Netherlands, hereby declare that I am the original and sole inventor of the subject matter of U.S. Patent No. 6,359,969 (the '969 patent) entitled "FILTER FOR EXTREME ULTRAVIOLET LITHOGRAPHY", which issued March 19, 2002 from U.S. Patent Application No. 09/641,455, filed, on August 18, 2000, as a continuation application of PCT Patent Application No. PCT/NL99/00090, filed on February 19, 1999, which claimed priority to Dutch Patent Application No. NL 1008352, filed on February 19, 1998.

I believe that the original '969 patent is partially inoperative by virtue of at least claiming less than I had the right to claim.

Specifically, the recitation in claim 12 that "the plates are directed radially from the radiation source" conflicts with the earlier recitation that the "plurality of plates are positioned substantially parallel in relation to one another." Therefore, I believe the original '969 patent is partly inoperative by reason of claiming less than I had a right to claim. Accordingly, I have

amended independent claim 12 to recite that “the plates are directed away from the radiation source.” Furthermore, I have submitted dependent claims 13-21, further defining the filter recited in claim 12.

Further, the original ‘969 patent did not include an independent claim defining a filter to suppress undesired atomic and microscopic particles from a radiation source, the filter comprising a plurality of foils or plates having a surface configured to trap atomic and microscopic particles thereon, wherein each foil or plate essentially extends away from the radiation source. Therefore, I have added independent claim 22 and I believe the original ‘969 patent is partly inoperative by reason of claiming less than I had a right to claim. The original ‘969 patent did not include dependent claims defining additional details of such a filter. Accordingly, I have added dependent claims 23-39.

The original ‘969 patent also did not include an independent claim defining a lithographic apparatus comprising a filter comprising a plurality of foils or plates having a surface configured to trap thereon atomic and microscopic particles. Therefore, I have added independent claim 40 and I believe the original ‘969 patent is partly inoperative by reason of claiming less than I had a right to claim. The original ‘969 patent did not include dependent claims defining additional details of such a lithographic apparatus. Accordingly, I have added dependent claims 41-60.

Additionally, the original ‘969 patent did not include an independent claim defining a radiation source system comprising an extreme ultraviolet radiation plasma source and a filter to suppress undesired atomic and microscopic particles. Therefore, I have added independent claim 61 and I believe the original ‘969 patent is partly inoperative by reason of claiming less than I had a right to claim. The original ‘969 patent did not include dependent claims defining additional details of such a radiation source system. Accordingly, I have added dependent claims 62-68.

I hereby declare that all errors sought to be corrected in the present reissue application were inadvertent and arose without any deceptive intent on my part and, to the best of my knowledge, on the part of the assignee of the '969 patent, ASML Netherlands, B.V.

I hereby claim priority benefit under 35 U.S.C. § 119 or 120 and/or 365 to PCT Application No. PCT/NL99/00090, filed on February 19, 1999, which claimed priority to Dutch Patent Application No. NL 1008352, filed February 19, 1998, and insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in the application to which priority is claimed, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the application to which priority is claimed and the effective filing date of this application.

I have reviewed and understand the contents of this declaration and the attached specification, including the claims as amended and added as specifically referred to in this declaration and I believe am the original and first inventor of the subject matter which is claimed and for which a patent is sought.

I do not know, nor believe, that the claimed invention was ever known or used in the United States before the invention thereof, or patented or described in any printed publication in any country before the invention thereof. I also acknowledge my duty to disclose to the U.S. Patent and Trademark Office all information known to be material to patentability of this re-issue application as defined in 37 C.F.R. § 1.56.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint Pillsbury Winthrop LLP, 1600 Tysons Boulevard, McLean, VA 22102, telephone number (703) 905-2000 (to whom all communications are to be directed), and persons of that firm who are associated with USPTO Customer No. 00909 individually and collectively the attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to delete from that Customer No. names of persons no longer with their firm, to add new persons of their firm to that Customer No., and to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct the above firm and/or a below attorney in writing to the contrary.



Leonid SHMAENOK

25/05/2004

Date